

Planning and Zoning Commission Regular Meeting

July 13, 2005

1. CALL SESSION TO ORDER

The July 13, 2005, Regular Meeting of the Planning and Zoning Commission was held in the Council Chambers of the City Hall of Round Rock located at 221 East Main Street. With a quorum present, Chairman Al Kosik called the meeting to order at 7:05 p.m.

2. ROLL CALL

Present for roll call, along with Chairman Kosik were Commissioners Sandy Arnold, Russ Boles, Dale Austin, Larry Quick, Betty Weeks, Ray Thibodaux and David Pavliska.

Commissioners Larry Quick and Peter Drapes were absent from the meeting. Staff included Jim Stendebach, Director, Susan Brennan, Principal Planner, Bernadette Hayes, Senior Planner, Nicole Crutchfield, Senior Planner, Joelle Jordan, Senior Planner, James Hemenes, Park Planner, Alysha Girard, Development Services Manager, Eric Langhout, Public Works Dept. and Dianna Hutchens, Administrative Technician.

3. APPROVAL OF THE June 1, 2005 REGULAR MEETING MINUTES.

Motion: Commissioner Pavliska made a motion to approve the June 1, 2005, Regular Meeting minutes. Commissioner Austin seconded the motion.

Vote: Ayes: Al Kosik, David Pavliska, Sandy Arnold, Russ Boles, Ray Thibodaux, Dale Austin and Betty Weeks. Noes: None; Abstain: None; Absent: Peter Drapes and Larry Quick. The motion carried unanimously.

Commissioner Quick joined the meeting at 7:11 p.m.

4. CONSENT AGENDA:

Chairman Kosik requested that Consent Agenda Items 4.G., 4.J., 4.L., and 4.O. be removed and discussed at a later time.

Ms. Hayes noted that there was a letter requesting the tabling of Consent Agenda Item 4.D. on the dias for the Commissioners review and she requested to move Consent Agenda Item 4.H. to Additional Plats due to the adding of a condition.

- 4.A. Consider the Preliminary Plat of Lisa Rae Drive Subdivision, application # 2005-003-PP.**
- 4.B. Consider the Preliminary Plat of Ray Berglund Boulevard Subdivision application # 2005-004-PP.**
- 4.C. Consider the Revised Preliminary Plat of Chandler Road Retail Subdivision, application # 2005-021-PP.**

- 4.E. Consider the Old Settler's Center Final Plat, application # 2005-029-FP.
- 4.F. Consider the Revised Preliminary Plat of CPG Partners Commercial Tract, application # 2005-015-PP.
- 4.I. Consider the Preliminary Plat of Hoppe Center, application # 2005-016-PP.
- 4.K. Consider the Final Plat of Behrens Ranch Phase D, Section 3B, application # 2005-012-FP.
- 4.M. Consider the Preliminary Plat of East Chandler Retail Center, application # 2005-014-PP.
- 4.N. Consider the Extension of the Replat of Amended Sam Bass 7, Lot 1, Block A, application # 2004-067-FP.
- 4.P. Consider the Final Plat of Palm Creek Center, Section One, application # 2005-028-FP.

Motion: Commissioner Boles made a motion to approve Consent Agenda Items 4.A., 4.B., 4.C., 4.E., 4.F., 4.I., 4.K., 4.M., 4.N. and 4.P. Commissioner Austin seconded the motion.

Vote: Ayes: Al Kosik, David Pavliska, Sandy Arnold, Russ Boles, Larry Quick, Ray Thibodaux, Dale Austin and Betty Weeks. Noes: None; Abstain: None; Absent: Peter Drapes. The motion carried unanimously.

- 4.D. Consider the First Limited Addition Final Plat, Vacation, application # 2005-002-V.

Motion: Commissioner Arnold made a motion to table the item to the August 17, 2005 meeting. Commissioner Weeks seconded the motion.

Vote: Ayes: Al Kosik, David Pavliska, Sandy Arnold, Russ Boles, Larry Quick, Ray Thibodaux, Dale Austin and Betty Weeks. Noes: None; Abstain: None; Absent: Peter Drapes. The motion carried unanimously.

- 4.G. Consider the Final Plat of CPG Commercial Tract, Section Seven, application # 2005-032-FP.

Chairman Kosik noted Plat Note #5 and asked if there was a need for the specific note regarding the construction of the subdivision wall. He noted that in this particular situation it was not in a subdivision. Ms. Hayes suggested that the note could be removed. Chairman Kosik thought it would be best to remove the note because it would be

confusing to reference something that was not going to be done. He requested that a condition be added to the plat removing Plat Note #5.

Motion: Commissioner Boles made a motion to approve the final plat with the condition noted. Commissioner Thibodaux seconded the motion.

Vote: Ayes: Al Kosik, David Pavliska, Sandy Arnold, Russ Boles, Larry Quick, Ray Thibodaux, Dale Austin and Betty Weeks. Noes: None; Abstain: None; Absent: Peter Drapes. The motion carried unanimously.

4.H. Consider the Revised Preliminary Plat of Randall's Town Centre, Lots 1-5, Block A, and Lots 1-2, Block B, application # 2005-013-PP.

Ms. Hayes presented the following condition:

- Provide an accurate depiction of the ultimate 25 year and 100 year floodplain on the plat along with the current 100 year FEMA floodplain.

Chairman Kosik referenced Lot 4, Block A, and said there was a note next to an arrow that indicated 15' which was an unlabeled line. He noted there was a 10' slope and public utility easement, but he was unsure of what the 15' note was referencing. Ms. Hayes explained that the 15' represented a 10' slope and public utility easement and an additional 5' PUE for a total of 15'. Chairman Kosik continued and said there were several easements located on Lot 1, Block B. He asked if most of the easements would be vacated. Mr. Bourgeois said the Southwestern Bell telephone easement will be vacated, but the wastewater easement will not be vacated.

Motion: Commissioner Boles made a motion to approve the revised preliminary plat with the condition noted. Commissioner Austin seconded the motion.

Vote: Ayes: Al Kosik, David Pavliska, Sandy Arnold, Russ Boles, Larry Quick, Ray Thibodaux, Dale Austin and Betty Weeks. Noes: None; Abstain: None; Absent: Peter Drapes. The motion carried unanimously.

4.J. Consider the Preliminary Plat of Mayfield Ranch Enclave, application # 2005-012-PP.

Chairman Kosik referenced Page 3 of the plat, specifically the line types for both the 100-year floodplain and the 25-year floodplain. Since both of the line types were very

similar it was difficult to tell the difference in the two when both of the lines crossed and were in the same places. He requested that different line types be used.

Commissioner Quick referenced in Block A, that Lot 20 and Lot 21 were referenced as the same Lot. He asked which lot reference was correct. Mr. Stendebach noted that Lot 20 was indicated on the previous page of the plat, leaving Lot 21, Block A, on page 3 of the plat.

Ms. Hayes summarized the corrections to the plat:

- Show a different line type for each of the 25 year and 100 year floodplain.
- On Sheet 3 of 4; Lot 20 should in fact be called out as Lot 21.

Motion: Commissioner Pavliska made a motion to approve the preliminary plat as conditioned. Commissioner Arnold seconded the motion.

Vote: Ayes: Al Kosik, David Pavliska, Sandy Arnold, Russ Boles, Larry Quick, Ray Thibodaux, Dale Austin and Betty Weeks. Noes: None; Abstain: None; Absent: Peter Drapes. The motion carried unanimously.

4.L. Consider the Final Plat of Behrens Ranch Phase D, Section 5, application # 2005-009-FP.

Chairman Kosik referenced Plat Note #8 regarding the finished floor elevation of at least 787.3 feet above sea level. He noted that there were two notes in other places on the drawing that indicated the minimum floor elevation for all lots would to be 787.30'. He said he did not feel there needed to be a plat note since it was labeled elsewhere on the plat. Mr. Stendebach suggested that the note was more restrictive and should be left on. Ms. Hayes suggested changing Note #8 to read: All habitable structures built on all lots within this plat shall have a finished floor elevation of at least 787.3 feet above sea level. Chairman Kosik agreed.

Motion: Commissioner Pavliska made a motion to approve the final plat with the correction noted. Commissioner Thibodaux seconded the motion.

Vote: Ayes: Al Kosik, David Pavliska, Sandy Arnold, Russ Boles, Larry Quick, Ray Thibodaux, Dale Austin and Betty Weeks. Noes: None; Abstain: None; Absent: Peter Drapes. The motion carried unanimously.

4.O. Consider the Removal of a Condition to the Approved Revised Preliminary Plat of Walsh Ranch, application # 2005-002-PP.

Chairman Kosik asked if the land was going to be annexed. Mr. Stendebach said the land was not going to be annexed at least for 15-20 years. Chairman Kosik asked if it was going to be a MUD. Mr. Stendebach said yes. Chairman Kosik asked if there was a reason why it is not going to be annexed at this time. Mr. Stendebach said there is an intervening property involved and the property owner will not cooperate in providing easements so the land can be served; thus the need to create a MUD.

Motion: Commissioner Arnold made a motion to approve the removal of a condition from the revised preliminary plat regarding the annexation and zoning. Commissioner Boles seconded the motion.

Vote: Ayes: Al Kosik, David Pavliska, Sandy Arnold, Russ Boles, Larry Quick, Ray Thibodaux, Dale Austin and Betty Weeks. Noes: None; Abstain: None; Absent: Peter Drapes. The motion carried unanimously.

5. TABLED ITEMS NOT REQUIRING A PUBLIC HEARING

5.A. Consider the Paloma Lake Concept Plan, application # 2005-005-CP.

5.B. Consider the Sienna Hills Concept Plan, application # 2005-004-CP.

5.C. Consider the Brushy Creek Wastewater Treatment Plant Final Plat, application # 2004-069-FP.

6.B. Consider the Final Plat of Chandler Road Retail Subdivision, Section One, application # 2005-034-FP.

6.C. Consider the Final Plat of Chandler Road Retail Subdivision, Section Two, application # 2005-031-FP.

Chairman Kosik announced that all of the tabled items 5.A., 5.B., 5.C. and Items 6.B. and 6.C. would be taken in one motion.

Motion: Commissioner Quick made a motion to table the items until the August 17, 2005, meeting. Commissioner Pavliska seconded the motion.

Vote: Ayes: Al Kosik, David Pavliska, Sandy Arnold, Russ Boles, Larry Quick, Ray Thibodaux, Dale Austin and Betty Weeks. Noes: None; Abstain: None; Absent: Peter Drapes. The motion carried unanimously.

6. ADDITIONAL PLATS

6.A. Consider the Preliminary Plat of Joyce Lane Subdivision, application # 2005-001-PP.

Ms. Hayes presented staff's analysis to the Commissioners noting staff's recommendation approval with the following conditions:

1. The ultimate 100 year and existing FEMA floodplain will be accurately depicted on the preliminary plat; along with providing the City of Round Rock (Public Works) with a copy of the October 2004 Floodplain that is described within the Floodplain Note on the plat.
2. Provide the correct survey tie across the Right-of-way on the final plat.

Chairman Kosik noted that the 6.49 acre tract had been removed from the preliminary that was originally included. Ms. Hayes said since the initial submittal of the preliminary plat, the owner of that piece of property decided he did not want to participate and Ms. Girard said she believed the reason the 6.49 acre lot was not included was because the owner of the property was not comfortable with deeding the easements that would be needed. Chairman Kosik asked if all of this property was within the city limits. Ms. Hayes said the entire acreage is in the city. Chairman asked if the 6.49 acre lot would be considered a legal lot since it was not part of the plat. Mr. Stendebach said no.

Commissioner Weeks asked if the Commission would see a final plat on the subdivision. Ms. Hayes said yes.

Motion: Commissioner Pavliska made a motion to approve the preliminary plat as conditioned. Commissioner Thibodaux seconded the motion.

Vote: Ayes: Al Kosik, David Pavliska, Sandy Arnold, Russ Boles, Larry Quick, Ray Thibodaux, Dale Austin and Betty Weeks. Noes: None; Abstain: None; Absent: Peter Drapes. The motion carried unanimously.

6.D. Consider the Final Plat of Scott & White Subdivision, Section One, application # 2005-030-FP.

Ms. Hayes presented staff's analysis of the final plat noting staff's recommendation of approval with the following conditions:

- In Note #6 correct the spelling of revised.
- Remove Note #5, this note does not apply to the plat.

Motion: Commissioner Austin made a motion to approve the final plat with the two conditions noted. Commissioner Pavliska seconded the motion.

Vote: Ayes: Al Kosik, David Pavliska, Sandy Arnold, Russ Boles, Larry Quick, Ray Thibodaux, Dale Austin and Betty Weeks. Noes: None; Abstain: None; Absent: Peter Drapes. The motion carried unanimously.

6.E. Consider the Final Plat of CPG Commercial Tract, Section One, application # 2005-033-FP.

Ms. Hayes presented staff's analysis of the final plat noting staff's recommendation of approval with the following conditions:

- The required letter of intent for parkland dedication is submitted to the Parks Department prior to plat recordation.
- Remove Note #5, this note does not apply to the plat.

Motion: Commissioner Boles made a motion to approve the final plat with the conditions noted. Commissioner Arnold seconded the motion.

Vote: Ayes: Al Kosik, David Pavliska, Sandy Arnold, Russ Boles, Larry Quick, Ray Thibodaux, Dale Austin and Betty Weeks. Noes: None; Abstain: None; Absent: Peter Drapes. The motion carried unanimously.

7. ZONING AND PLATTING: PUBLIC HEARING/DISPOSITION

Chairman Kosik noted there were letters on the dias requesting the tabling of Items 7.A., 7.B., 7.C., and 7.D. regarding the Ashton Oaks Subdivision to August 17, 2005.

- 7.A. Consider public testimony regarding the application filed by Sycamore Trails, LTD., to rezone 32.332 acres of land, more or less, out of the P.A. Holder Survey, Abstract # 297, in Williamson County, Texas, from MF (Multifamily) District to SF-2 (Single Family-Standard Lot) District, application # 2005-014-ZC.**

Chairman Kosik opened the public hearing and asked if there was anyone present that wanted to provide testimony for the public hearing. Ms. Jennifer Mogonye said she would wait and speak at the public hearing on August, 17, 2005. Seeing no one else, Chairman Kosik closed the public hearing.

Motion: Commissioner Boles made a motion to continue the public hearing. Commissioner Weeks seconded the motion.

Vote: Ayes: Al Kosik, David Pavliska, Sandy Arnold, Russ Boles, Larry Quick, Ray Thibodaux, Dale Austin and Betty Weeks. Noes: None; Abstain: None; Absent: Peter Drapes. The motion carried unanimously.

- 7.B. Consider a recommendation to rezone 32.332 acres of land from MF (Multifamily) District to SF-2 (Single Family-Standard Lot) District, application # 2005-014-ZC.**

Motion: Commissioner Pavliska made a motion to table the public hearing to the August 17, 2005 meeting. Commissioner Thibodaux seconded the motion.

Vote: Ayes: Al Kosik, David Pavliska, Sandy Arnold, Russ Boles, Larry Quick, Ray Thibodaux, Dale Austin and Betty Weeks. Noes: None; Abstain: None; Absent: Peter Drapes. The motion carried unanimously.

- 7.C. Consider public testimony regarding the application filed by Sycamore Trails, LTD., for approval of the Ashton Oaks Section Two, Concept Plan, application # 2005-006-CP.**

Chairman Kosik opened the public hearing and asked if there was anyone present that wanted to provide testimony for the public hearing. Seeing no one, he closed the public hearing.

Motion: Commissioner Boles made a motion to continue the public hearing. Commissioner Weeks seconded the motion.

Vote: Ayes: Al Kosik, David Pavliska, Sandy Arnold, Russ Boles, Larry Quick, Ray Thibodaux, Dale Austin and Betty Weeks. Noes: None; Abstain: None; Absent: Peter Drapes. The motion carried unanimously.

7.D. Consider a recommendation for approval of the Ashton Oaks Section Two, Concept Plan, application # 2005-006-CP.

Commissioner Quick referenced the entrance on Creek Ridge Boulevard off of A. W. Grimes Boulevard. He noted that the traffic was going to go into a "T" intersection with a 50' street and that it would serve 120 homes. He said he was concerned about the design of the intersection. Chairman Kosik said the comment by Commissioner Quick was important and staff could address that more when the public hearing continued.

Motion: Commissioner Boles made a motion to table the public hearing to the August 17, 2005, meeting. Commissioner Arnold seconded the motion.

Vote: Ayes: Al Kosik, David Pavliska, Sandy Arnold, Russ Boles, Larry Quick, Ray Thibodaux, Dale Austin and Betty Weeks. Noes: None; Abstain: None; Absent: Peter Drapes. The motion carried unanimously.

7.E. Consider public testimony regarding the application filed by Hoppe Properties, LTD., to rezone 2.05 acres of land, more or less out of the David Curry Survey, Abstract # 130 Williamson County, Texas, from LI (Light Industrial) District to PUD # 63 (Planned Unit Development) District, application # 2005-015-ZC.

Mr. Stendebach said the information before the Commissioners was an extremely simplified PUD for the purpose of allowing a commercial use to locate on a site that was marketed for an industrial user several years ago. At that time, the owner was very concerned about who his neighbors might be and was also concerned about unlimited commercial uses on the site. The PUD will limit the use to a drug store or pharmacy with a drive-through. It will provide for special conditions on loading spaces, provides for underground utilities and driveway access control. Other than the few items mentioned, this will have C-1 zoning regulations.

Chairman Kosik opened the public hearing and asked if there was anyone present that wanted to provide testimony for the public hearing. Seeing no one, he closed the public hearing.

7.F. Consider a recommendation to rezone 2.05 acres of land from LI (Light Industrial) District to PUD # 63 (Planned Unit Development) District, application #2005-015-ZC.

Chairman Kosik referenced Page 6 of the PUD document, specifically the driveway access. He asked how many shared access drives would be allowed, or if multiple access points would be allowed? Chairman Kosik said the way he read the PUD was that there could be multiple shared access drives. Mr. Stendebach said the applicant could have one full access driveway to FM 3406 located near the west property line, or at a minimum, one shared access driveway to FM 3406 located midway between the west property line and Chisholm Trail Road. Chairman Kosik asked why staff added the statement "or at a minimum" because that could mean there could be more than one. He suggested that it say one shared access drive located at midpoint. Mr. Stendebach suggested striking "or at a minimum, one (1) shared access driveway to FM 3406 located midway between the west property line and Chisholm Trail Road" from the statement, and it could be readdressed at site plan. Chairman Kosik asked if this would ultimately allow the applicant two access drives. Mr. Stendebach said the applicant would be allowed one access drive on the west at this time and leaves the option of a shared access drive at the midpoint later on. Chairman Kosik said he would rather have a shared access drive on the east and not on the west. Mr. Stendebach said he could not address that without looking at the site plan. The applicant's representative, Mr. Reid, said since the frontage on FM 3406 is less than the required driveway spacing for TXDoT for posted speeds greater than 50 mph, they just want to be assured that they have some access point between Chisholm Trail and their western boundary. Chairman Kosik said he did not have a problem with the language if "at a minimum" was removed. The new language could state that there could be a driveway on the west, which would keep it limited to one driveway, but he preferred one driveway. Mr. Stendebach said it could be simplified by simply allowing one driveway to FM 3406 in accordance with an approved site plan. Chairman Kosik said that would be fine.

Commissioner Austin suggested that the driveway be located as far from the intersection of Chisholm Road and FM 3406 as possible. Chairman Kosik said he did not have a problem with that. Commissioner Boles said he thought the applicant needed two

access points. There should be a dedicated one for his lot and then there should be a shared drive for the other lot. Commissioner Pavliska asked if there would be any access allowed from Chisholm Trail to the eastern lot. Mr. Stendebach said the situation could be simplified by saying there shall be one access point provided in accordance with the adopted city standards. He said he was not sure that once there is one access put in, if another one would be allowed. He would be cautious about trying to come up with a solution this evening from the dais that could be in conflict with the agreement between the City Council and TXDoT regarding access. Chairman Kosik said he thought the statement made regarding one access to FM 3406 shall be provided in accordance with the city standards would be fine. He suggested that in the future if the other property owner wanted to share the access point then it would be between the two property owners.

Motion: Commissioner Boles made a motion to recommend approval of the rezoning with the condition that the text regarding the driveway access be revised. Commissioner Austin seconded the motion.

Vote: Ayes: Al Kosik, David Pavliska, Sandy Arnold, Russ Boles, Larry Quick, Ray Thibodaux, Dale Austin and Betty Weeks. Noes: None; Abstain: None; Absent: Peter Drapes. The motion carried unanimously.

7.G. Consider public testimony regarding the proposed amendment to the General Plan to modify the Future Land Use Map with regard to the IH-35 corridor.

Mr. Stendebach said there is 15,000+ acres of developable land in the northeast section of the City and this is the last developable area of land in the City. Staff has recommended to the City Council that the area be dealt with in three or four phases. The information being presented this evening is the first phase that includes the corridor along IH -35. The I-35 Corridor contains the property from the northern ETJ boundary south to Old Settlers Boulevard on the east side of IH-35 as well as some property on the west side of IH 35 that goes south of Old Settlers Boulevard. This corridor is currently designated for industrial use in the General Plan on both sides of IH-35, other than what has already been developed as commercial. He said there have been no new industrial uses occurring on any of the vacant land since the General Plan was adopted in 2000. The Round Rock Premium Outlet Mall has changed the character of the area and has provided increased

opportunities for both regional and destination retail services in the area. Property owners along IH-35 have been contacted as part of a Focus Group and they unanimously agree that they think their property would be more suitable for commercial development. It also increases sales tax opportunities and will allow the last remaining frontages on IH-35 to be used for uses that require visibility from the freeway.

Using a map Mr. Stendebach identified the different properties that would be discussed during the presentation this evening. Phase I (West of IH-35, both south and north of Old Settlers) is currently predominately industrial uses. The new proposed land use designations for this area include a small amount of limited commercial north of Old Settlers and predominately mixed use. He explained that mixed use could include limited commercial or high density multi-family that is similar to what is at La Frontera (35 units per acre). Phase 1 (Southern Section) currently is predominately industrial uses and some open space. The new proposed land use for this area includes limited commercial along the IH-35 frontage and a small area of open space. Phase 1 (Northern Section) is located on the east side of IH-35, north and south of Chandler Road stopping at the ETJ boundary. The current land uses are shown as business park and industrial uses. The proposed land use designations include limited commercial along the frontage and two small areas of multi-use. He noted the utilities and road improvements would be in place to support the different land uses.

Chairman Kosik opened the public hearing and asked if there was anyone present that wanted to provide testimony for the public hearing. Seeing no one, he closed the public hearing.

7.H. *Consider a recommendation regarding the proposed amendment to the General Plan to modify the Future Land Use Map with regard to the IH-35 corridor.*

Commissioner Pavliska said he wanted to comment on something that was not in the area that was being discussed this evening, but it was on the Future Land Use Map. He referenced the "Y" intersection where Sam Bass and FM 3406 come together and asked if it was still residential. His concern was that the commercial was not indicated where the mini-storage is being built. Mr. Stendebach said there was a clause in the General Plan that allows for local commercial uses to locate within appropriate areas related to road

systems in a residentially designated district. He recognized that the mini-storage was local commercial and said the General Plan allows for that flexibility. Chairman Kosik asked if the Planning Commission could make the zoning change legally under the provision in the General Plan. Mr. Stendebach said as long as it was local commercial and not general commercial.

Chairman Kosik noted another possible mapping error on the Future Land Use Map. He referenced the right side of the map, north of U. S. 79, there is a small area indicated as Industrial that is outside of the City's ETJ. Mr. Stendebach noted the area and agreed that it was a mapping error.

Chairman Kosik asked if large industrial tracts were still important to Round Rock. Mr. Stendebach said yes. He said when the review of Phase 3 is being done, staff will be looking at areas that can be serviced with new infrastructure within a year to 18 months, where campus type industrial sites can be provided. Chairman Kosik asked if there could be more industrial in the northeast area of the City. Mr. Stendebach said yes, in Phases 3 & 4. Commissioner Boles thought industrial was better suited in that area because it was less expensive land as compared to the I-35 corridor area.

Commissioner Weeks asked if the park on the access road south of Chandler Road was going to be designated as some other use. Mr. Stendebach said there has been some discussion about removing it as park inventory and possibly changing the designation, but nothing has been determined at this time. He noted there was a lot of floodplain in that area so the usable space would be limited. He thought it was a good point and it should be looked into. Chairman Kosik said he agreed that it should be designated as something other than industrial and said it needed to be designated as mixed-use. Mr. Stendebach agreed and suggested that the change be included in the Planning Commission's recommendation.

Chairman Kosik asked if there would be another zone for limited commercial, or if it would be limited by PUD. Mr. Stendebach thought limiting it by PUD would be the best option. He noted that there could be a new zoning district established, but due to the limited number of areas it would work in, the best solution would be a PUD. Chairman Kosik said he felt Mr. Stendebach's suggestions made a lot of sense.

Motion: Commissioner Boles made a motion to approve the proposed amendment to the General Plan to modify the Future Land Use Map with regard to the IH-35 corridor with the one change that the McNeil Park be designated as mixed use. Commissioner Pavliska seconded the motion.

Vote: Ayes: Al Kosik, David Pavliska, Sandy Arnold, Russ Boles, Larry Quick, Ray Thibodaux, Dale Austin and Betty Weeks. Noes: None; Abstain: None; Absent: Peter Drapes. The motion carried unanimously.

7.I. Consider public testimony regarding the proposed amendment to add MU-1a (Mixed-Use Southwest Downtown) District to Chapter 11, Zoning, City of Round Rock Code of Ordinances, 1995 Edition.

Mrs. Jordan presented a brief outline of the proposed amendment to add MU-1a District to Chapter 11, Zoning, City of Round Rock Code of Ordinances, 1995 Edition. She noted that the Southwest Downtown Plan was adopted as an amendment to the General Plan 2000 in February 2005.

Ms. Jordan said staff is requesting the Planning Commission to recommend the adoption of the Mixed-Use – Southwest Downtown District. In addition to recommending the Mu-1a District, the Commission will also be presented with the City-initiated rezoning of several blocks to Mu-1a. The rezonings, along with PF-3 and OS rezonings, are the result of recommendations adopted in the Southwest Downtown Plan. The only block in the Southwest Downtown that will not be rezoned is the Wells Fargo Bank on the corner of IH-35 and Round Rock Avenue which will remain C-1 because of its IH-35 frontage location. She noted that the addition of a new district in Chapter 11 would also result in changes to other areas of Chapter 11.

Chairman Kosik opened the public hearing and asked if there was anyone present that wanted to provide testimony for the public hearing.

Mr. John Momon, 1701 Johnson Way, Round Rock, said he wanted to compliment staff on the work that has gone into the MU-1a District Ordinance. He said there has been a lot of dialogue and interaction with staff regarding his concerns and he appreciated that.

Mr. Momon highlighted the issues he had concerns with.

Page 6, Item (ii), Parking Credit, Item 1, the last sentence stating: "Any expansions to the GFA of the building shall meet the parking required for its use."

Mr. Momon asked if only the addition's square footage would be considered in providing the off-street parking calculations and the existing building would be grandfathered. Mr. Stendebach said that was the intent. He said the ordinance specifically states that the square footage in existence at the time of passage of this ordinance has a credit. Mr. Momon said he understood the intent, but he did not think the language was clear. Mr. Stendebach said he thought the key phrase was the gross floor area. Chairman Kosik suggested that "its use" in the last sentence be replaced with "the expansion's use", or something of that nature. Mr. Stendebach suggested the language be changed to "or the use of the expansion".

Page 9, Item (i), Special Conditions for Properties Located on Lake Creek, Item (ii).

Mr. Momon asked if a property that backs up to the creek develops will the parking could go between the street and the building, or does the parking have to go between the buildings and behind the buildings. He suggested that if someone owns property on Harris Street that backs up to Lake Creek that he is allowed to do parking between the street and building. Chairman Kosik said he did not see the parking as being addressed. Mr. Stendebach said it is not. Staff eliminated the prohibition of parking adjacent between buildings and the creek, and only said that loading and servicing could not occur there. Mr. Momon said he was fine with that. He asked if it was alright to design something that would be adjacent to the creek with parking between the street and the building. Mr. Stendebach said the proposed ordinance states that parking can be put behind but not in the front of the building. Mr. Momon said he felt there was enough latitude in the ordinance to make it workable.

Page 10, Item 4, MU-1a District Design Standards, Item a, Exterior Wall Finish, Item ii.

Mr. Momon asked if all the buildings had to be 100% stucco, and have a low slope roof behind the parapet, He said he thought that this provision limits design creativity, and he did not think it was necessary to have that statement. Later in the ordinance, there are other provisions that protect the articulation. Commissioner Quick asked if Mr. Momon

would be comfortable if there was a conditional statement such as “if the roof is visible from the street or front”. Mr. Momon said he would like the ability to articulate the façade and a low slope roof behind the parapet with 100% stucco. Mr. Stendebach said he believed Commissioner Quick’s suggestion of a possible change to the wording that would allow this to occur as long as the roof itself was not visible. Mr. Momon said that was fine.

Page 10, Item 4, MU-1a District Design Standards, Item b, Building Elevation Variation
(i)

Mr. Momon said he had a problem with anything that had a dimension or a percentage associated with it. He said there were other designs within the district that could not be duplicated because of the statement “Wall planes shall not extend more than an average of thirty-five feet without an offset or interruption by a pilaster or structural frame, change in roof line or architectural materials, including windows and doors”. Averages of 35 feet for the offsets are very hard to obtain. He said he did not think that provision was necessary in the ordinance because there is protection for articulation later on in the ordinance. He suggested that Item 4.b.i be removed. Mr. Momon said when there are any deviations to the ordinance the process dictates that the Zoning Administrator must approve those deviations and this takes additional time and expense. In the current ordinance there are no dimensions or percentages in the C-2 section and there have been some nice projects that have been built in the City. He said he thought it was working without the specifics on percentages and number of feet. Commissioner Boles asked if his problem was with legislating what good design was, or the fact that he would have to meet with the Zoning Administrator to get a variance. Mr. Momon said his problem was that he would have to have a meeting with the Zoning Administrator to get a variance because he is five-foot over the average of 35-feet. Mr. Stendebach said he did not disagree with what Mr. Momon was saying, but it is difficult to use an ordinance that has subjective statements within it. Mr. Crossfield said if there is a violation, it is filed in Municipal Court and in order for Judge McNery to find somebody in violation; he has to find they are in violation beyond a reasonable doubt. If there is not a non-subjective standard it will be thrown out of court.

Page 12, Item G, Building Articulation

Mr. Momon said he liked this provision and believed it took care of things the way he thought they should be addressed. He noted the first sentence in the first paragraph and read: "All building shall be designed to include varied relief to provide interest and variety and to avoid monotony." He suggested adding the word "offsets" to the statement. With that in mind, he asked if the City had the ability to get a judgement and move forward if someone built a building with a large flat façade without any offsets. Chairman Kosik said he did not want the word "offsets" included in the provision. Mr. Crossfield agreed and said it that is a constant contention when something like this is drafted. He said he wanted to be exact and he hated words like monotonous because there is no clear meaning and difficult to defend.

Page 11, Item (iii) regarding horizontal design features between the first and second floors of a building

Mr. Momon said the example above Item (iii) showing the window arrangement did not show any line, canopy or cornice. He said he would like to see that provision taken out of the ordinance and say something like "encourage the line of relief, but do not make it required on a multi-story building." Mr. Momon said this forces a certain design which limits creativity. Commissioner Austin asked if Mr. Momon had any suggestions on how the provision could be worded so it could hold up in court. Mr. Momon said he did not have a suggestion that would hold up in court because he was not an Attorney, but he thought removing the feet and dimensions would be a good idea. He said he did not want this standard to follow into other zoning categories such as C-2 as well. Commissioner Pavliska said the provisions being discussed this evening are only for the Southwest Downtown Plan area and will not automatically be changed in any other part of the City. The overall intent of what staff is trying to do is one point, and he is in total agreement with that as far as getting better use of the materials, better articulation and better proportions.

Ms. Brennan referenced the bottom of Page 10, Item b, Building Elevation Variation, Item (i), and said when staff began the process they had actually stopped the language after the referenced "change in roof line or architectural materials". But after several meetings staff added "including windows and doors" to show the variations and count as

an offset. Mr. Momon said he would be fine with that. Ms. Brennan continued and said on the bottom of Page 11, in the drawing showing the acceptable design features delineating the first and second floors, staff also added color and texture so a paint color could be used to differentiate between the first and second floor. The attempt with this provision was to relax some of the standards without compromising the intent of the plan.

Page 12, Item (d), Windows, Items (ii) through (iv)

Using the overhead, Mr. Momon displayed a picture of his office building and said his building would not meet the new ordinance standards because he had not met the minimum of 50% of the glazing of the front wall area. In some cases, this provision would be hard to achieve. He noted the provision regarding art galleries and jewelry stores, but said there may be office or medical buildings that would have fewer windows. Mr. Stendebach said the provisions are intended for new buildings and not remodels like the example used by Mr. Momon. Commissioner Boles said Mr. Momon had brought up a good point that he could not build his building from scratch as it sits now under the new ordinance provisions. Mr. Stendebach said the building could not be built for a number of reasons including setbacks. Mr. Momon said the new provisions stated in Item (iv), regarding "At least 30% of the wall area on any side or rear elevation facing a public street, ..." is in direct conflict with the International Building Code, although it is referenced "as permitted by the Building Code, whichever is less".

Commissioner Boles asked if Mr. Momom's current building burnt down, could he rebuild it as it stands today. Mr. Stendebach said no, but he could probably get twice as many square feet on the property. Commissioner Boles said his point was that the current structure could not be rebuilt as it stands today. Will the new ordinance drive Mr. Momom to build something that resembles the examples on Page 11? Mr. Stendebach said if the establishment burnt down, Mr. Momom would have to design something that followed the examples on Page 11 of the ordinance. He said there were two things that were going to happen to this area. The first thing is the gentrification and conversion of existing buildings and using them for offices and such. The next phase will be to go into this and possibly what this is the missing is the in-between phase. Commissioner Boles said he did not have a problem with that, but he had never thought about it like that. He

said the way it looks now is not the way the City wants it to develop as. Mr. Stendebach said ultimately no. Ms. Jordan said staff was considering an interim phase that would be the expansion of the buildings, which is explained further on Page 15, (5), Expansions, and continued on Page 15.

Mr. Momom suggested changing the percentage on Page 12, (d), Windows, Item (ii) from a minimum of 50% to 40% of the area of the existing wall. He noted that would still provide a lot of glass. In the same section, (d), Windows, (iii), leave the 25% glazing as stated and decrease the 30% in Item (iv) to 25%.

Page 13, (h), Building Materials, (i)

Mr. Momom said the last item he wanted to bring up during the public hearing was in reference to non-reflective prefinished metal roofing materials. He asked if Galvolin was considered to be non-reflective. He suggested if the Commissioners and staff consider it to be non-reflective then it should be added to the approved roofing materials list between prefinished metal and copper, noting that copper was more reflective than Galvolin. He said it is shiny for a year and then it dulls. He felt all of the materials would be covered if Galvolin was added. Mr. Stendebach said there was a sample of the product in the office and staff could review it and give an interpretation.

Mr. Momon said there were numerous other changes that staff had already addressed with him. He thanked staff for their hard work on the ordinance.

Mr. Charles Munson said his mother owned property on San Saba Street and her house has a historic designation. He encouraged the Commissioners to be open minded and creative in an area that appears to be something special to the City. He thanked staff for their help in addressing his questions during the process. He asked if lofts would be considered as an appropriate use. Ms. Jordan said during the meeting the issue of apartments came up and upper story residential is allowed, which could be in the form of a loft. The other option would be a living area above the working unit. Mr. Stendebach said he could see loft as a style of the townhouse or the multi-family permitted uses. Mr. Munson asked if there was going to be a definitive definition of MU-1a. He said it makes him nervous to see examples because it defeats the ability for someone to be creative and

to create something special. In his review of the zoned area, his mother probably has the most vacant land. If anyone is going to be creative, it could be on her property.

Ms. Jordan addressed why the District was called MU-1a, she said the "a" is meant to apply to the Southwest Downtown area, and in the future, there could be potential for other areas to have the MU-1 designation and it could be more specific with or without the addition of an alphabet letter.

Mr. Munson requested that his testimony be applied to the other applications before the Commission this evening. He asked if the hike and bike trail would be lighted. Mr. Hemenes said at this time staff does not have any plans to say if it will be lighted or not. Mr. Munson asked, relative to parking, if you require it to be paved or gravel. Mr. Stendebach said parking lots are required to be paved. Regarding his mother's property on San Saba, Mr. Munson asked if there is to be new construction, there would be parking in the back. He asked if the City would want impervious cover that closes to the creek. Mr. Stendebach said run-off would have to run into sewers because the city is over the recharge zone. The water will have to be collected, treated and retained. He noted there was also a provision for a 15' landscape buffer between the parking and the edge of the property.

Chairman Kosik asked if there was anyone else that wanted to provide testimony for the public hearing. Seeing no one, he closed the public hearing and announced that the Commissioners would take a short recess.

Chairman Kosik reconvened the meeting following the recess.

7.J. *Consider a recommendation regarding the proposed amendment to add MU-1a (Mixed-Use Southwest Downtown) District to Chapter 11, Zoning, City of Round Rock Code of Ordinances, 1995 Edition.*

Chairman Kosik complimented staff on the ordinance and said it was very comprehensive and an easy ordinance to read. He said his only concern was who would make sure the requirements in the ordinance are met. He said it could be labor intensive to the individual that would need to keep up on it.

Commissioner Thibodaux referenced Page 22, Item (13.2) Indoor Entertainment Activities, Item (a) and asked he was correct in reading that firing ranges would be allowed in the MU-1a. Mr. Crossfield noted that the Item (a) also included video arcades with more than five machines and the two uses were not allowed in the MU-1a District.

Commissioner Weeks referenced Page 7, Item (ix) Residential Requirements and asked if two parking spaces would be enough for a residential unit. She asked if there would be ample on-street parking in the area. Mr. Stendebach said he did not think people with more than two cars are going to be looking at this kind of living accommodation. He said it was really not family accommodation; it is young married couples without children.

Commissioner Weeks referenced Page 9, Item (i) Special Conditions for Properties Located on Lake Creek, Item (iii) regarding the 15' landscape easement from Lake Creek. She asked if the 15' landscape was from the property line and not Lake Creek. Mr. Stendebach said that was correct. He noted that Lake Creek is contained within 3 lots that are owned by the City of Round Rock.

Commissioner Weeks asked what type of roof mounted mechanical equipment would be on a roof. Mr. Stendebach said air conditioning units could be on the roof.

Commissioner Quick referenced Page 12, Item (e) Glass. He asked if solar cells could be considered as an approved product for placement on the roof. Mr. Stendebach said the Commissioners could request that the language be clarified. The intent was not to eliminate that possibility and the solar cells would probably be less reflective. Chairman Kosik asked if solar cells would be considered.

Commissioner Weeks referenced Page 14, Item (iii) concerning commercial signs. She asked what an attached cabinet was. Mr. Stendebach explained that an attached cabinet sign is a metal box that has a sign in it. Some individuals attach it to the outside of a building and the wiring and metal box is visible. This provision requires that the attached cabinet has to be integrated into the architecture. Commissioner Weeks asked if there was anyplace in the ordinance that addressed banners. Mr. Stendebach said that banners are covered under the sign ordinance.

Commissioner Weeks asked if there would be some kind of provision in the ordinance that would make sure that awnings and things of that nature would be kept in good repair and appearance. Mr. Stendebach said the awnings would have to be in very bad repair before the City will go in and force somebody to repair or replace them. He said he hoped that property values alone in this area would insure that something like that would not be a problem.

Commissioner Weeks referenced Page 16, Item 8, (b), (ii) regarding the amplification of music. She asked if it was a problem that the music was amplified on East Main Street, but not allowed in the Southwest Downtown area. Mr. Stendebach said this would be a separate zoning district from the rest of the downtown area. The concern in the Southwest Downtown area is that there are still single-family homes in the area, and amplified outdoor music could be a problem.

Commissioner Boles asked who was going to build the buildings because he did not think there was a demand at this time and noted that there were currently vacancies in the downtown area. He said he wondered who was going to develop and when. He did not foresee the need anytime in the near future. Mr. Stendebach said he saw the transitional changes occurring first. The reason this is mixed-use is to allow the flexibility to build straight townhouses under this zoning district, straight commercial or something that will allow the greatest flexibility. Chairman Kosik said he did not think the examples that were shared would be the only style of development. He did not see the entire area developing into just that style of building. Commissioner Boles said if Mr. Momom's building burnt down, would he have to build something that is up close to the front street and dramatically different from what he is existing building, specifically something more that resembles the examples on Page 11 than what is there now. Chairman Kosik agreed that the building would be different from what exists today. Mr. Stendebach noted that the entire community is radically different from what it was 10 years ago. Commissioner Quick said other communities agree that there is the need for combining commercial and residential, and it has been successfully built. Mr. Stendebach said this is going to be a unique product that is not allowed under conventional zoning districts. Commissioner Boles said the design was fine, but it is very different. Chairman Kosik said the ordinance

will be revised based on developers needs and timing and the market. Commissioner Boles said he did not disagree with the plan, he just did not know how the City was going to get there and who was going to build it. Commissioner Austin said it will evolve on its own and the demand of the area will dictate what becomes of it.

Commissioner Thibodaux asked if the underground utilities have been put in place. Mr. Stendebach said only the new utilities that have been required for new development such as the Senior Citizens Building.

Commissioner Weeks referenced Page 21, Item 9, Eating Establishment, Item (i) regarding the screening fence. She asked if a six foot fence was tall enough or should it be 8' tall. Commissioner Pavliska said he would rather see 7' rather than 8'. Chairman Kosik agreed and said it was just meant to be a screen and not totally blocking the view. Mr. Stendebach said it was a judgment call as to whether the screening should be 6, 7 or 8 feet in height. It needs to be screening that the average person cannot look over.

Commissioner Weeks referenced Page 23, Section 11.423, Supplementary Use Standards, Item (c) (i). She asked why gun or firearm shops were not allowed in the MU-1a District. Mr. Stendebach said a lot of the uses, both allowed and not allowed, came from the neighborhood meetings that were conducted with the residents of the area.

Commissioner Quick referenced Page 23, Section 11.423, Supplementary Use Standards, Item (c) (iii) regarding dry cleaning services. He asked if the dry cleaners could have a drive through. Mr. Stendebach said he would get clarification on this issue, but as he read it, the current user can continue his business as a non-conforming use, but if it burns down, the owner will not be able to rebuild his business with a drive-thru.

Chairman Kosik noted that Mr. Momom had a number of comments, and there seem to be other questions on the table, he suggested tabling this item to the next meeting would allow the time to get more answers addressed. He thought the references made by Mr. Momon regarding the building code needed to be looked at closer, and he would like staff to do that. He said he did disagree with Mr. Momon regarding the number issue, he believed that there needed to be something to measure by in the ordinance, and he did not

have a problem with any of the numbers he saw in the ordinance. He felt there were many issues that still needed to be addressed and possibly reworded.

Motion: Commissioner Weeks made a motion to table the item to the August 17, 2005 meeting. Commissioner Austin seconded the motion.

Vote: Ayes: Al Kosik, David Pavliska, Sandy Arnold, Russ Boles, Larry Quick, Ray Thibodaux, Dale Austin and Betty Weeks. Noes: None; Abstain: None; Absent: Peter Drapes. The motion carried unanimously.

- 7.K. **Consider public testimony regarding the application filed by the City of Round Rock to rezone Block 1, Original City of Round Rock Plat from LI (Light Industrial) District to MU-1a (Mixed-Use Southwest Downtown) District; Block 2, Block 6, Block 7, Block 8, Block 24, Block 25, Block 26, Block 31, Original City of Round Rock Plat from C-1 (General Commercial) District to MU-1a (Mixed-Use Southwest Downtown) District; Block 5, Original City of Round Rock Plat from SF-2 (Single Family-Standard Lot) District and C-2 (Local Commercial) District to MU-1a (Mixed-Use Southwest Downtown) District; Block A, Olsen Subdivision from C-1 (General Commercial) District to MU-1a (Mixed-Use Southwest Downtown) District; and Block 27, Original City of Round Rock Plat from SF-2 (Single Family-Standard Lot) District to MU-1a (Mixed-Use Southwest Downtown) District.**

Mr. Stendebach said there was no recommendation made on the approval of the zoning district; therefore this item should be tabled until that has been accomplished.

Chairman Kosik took Mr. Stendebach's comment into consideration and said he would still open the public hearing and offer to take testimony.

Chairman Kosik opened the public hearing and asked if there was anyone that wanted to provide testimony.

Mr. Jesus Franco, 208 South Blair Street, said he was concerned about the rezoning of Tract 1 where the body shop was located. Mr. Franco asked if the owner would still be able to operate his business in the new zoning district. Mr. Stendebach said he will be able to operate his business as a non-conforming use, which means he can continue operating in perpetuity. If his business burns to the ground the owner cannot rebuild the use on that

location, or if he were to vacate and leave the property for more than 90 days, and not operate it, he could not reopen the business. Commissioner Boles asked if the use could be expanded. Mr. Stendebach said the owner can expand the business to cover the entire property.

Mr. David Conrad, 209 Round Rock Avenue, said he was concerned since he had heard this evening that if his business burns down, he will not be able to replace it as it stands today. He did not remember this point being brought up at the various meetings. He said he wanted to keep his property zoned as C-1 and not let it be rezoned to Mu-1a if it could not be replaced exactly as it is now. Mr. Stendebach said he wanted to add that as an item to be researched prior to the next meeting. Chairman Kosik thought that would be a good idea. Mr. Stendebach said he thought there needed to be a special exemption for any building that fits the Class A, the final use, or Class B, the interim use. Chairman Kosik agreed. Commissioner Thibodaux said he did not see a problem if a building was burnt down or destroyed in some other way, to use the original slab to rebuild on.

Chairman Kosik asked if there was anyone else present that wanted to provide testimony for the public hearing. Seeing no one, he asked for a motion to continue the public hearing.

Motion: Commissioner Arnold made a motion to continue the public hearing to the next regular meeting. Commissioner Austin seconded the motion.

Vote: Ayes: Al Kosik, David Pavliska, Sandy Arnold, Russ Boles, Larry Quick, Ray Thibodaux, Dale Austin and Betty Weeks. Noes: None; Abstain: None; Absent: Peter Drapes. The motion carried unanimously.

- 7.L. *Consider a recommendation regarding the application to rezone Block 1, Original City of Round Rock Plat from LI (Light Industrial) District to MU-1a (Mixed-Use Southwest Downtown) District; Block 2, Block 6, Block 7, Block 8, Block 24, Block 25, Block 26, Block 31, Original City of Round Rock Plat from C-1 (General Commercial) District to MU-1a (Mixed-Use Southwest Downtown) District; Block 5, Original City of Round Rock Plat from SF-2 (Single Family-Standard Lot) District and C-2 (Local Commercial) District to MU-1a (Mixed-Use Southwest Downtown) District; Block A, Olsen Subdivision from C-1 (General Commercial) District to MU-1a (Mixed-Use Southwest Downtown) District;*

and Block 27, Original City of Round Rock Plat from SF-2 (Single Family-Standard Lot) District to MU-1a (Mixed-Use Southwest Downtown) District.

Motion: Commissioner Arnold made a motion to table the item to the next regular meeting. Commissioner Weeks seconded the motion.

Vote: Ayes: Al Kosik, David Pavliska, Sandy Arnold, Russ Boles, Larry Quick, Ray Thibodaux, Dale Austin and Betty Weeks. Noes: None; Abstain: None; Absent: Peter Drapes. The motion carried unanimously.

- 7.M. Consider public testimony regarding the application filed by the City of Round Rock to rezone 0.641 acres of land and 2.36 acres of land more or less out of the Harris Survey, Abstract # 298, Williamson County, Texas, from SF-2 (Single Family-Standard Lot) District to PF-3 (Public Facilities-High Intensity) District; and 3.18 acres of land more or less out of the Harris Survey, Abstract # 298, Williamson County, Texas, from C-1 (General Commercial) District to PF-3 (Public Facilities-High Intensity) District.**

Ms. Jordan presented staff's analysis of the rezoning to the Commissioners noting the recommendation of approval.

Chairman Kosik opened the public hearing and asked if there was anyone that wanted to provide testimony for the public hearing. Seeing no one he closed the public hearing.

- 7.N. Consider a recommendation regarding the application to rezone 0.641 acres of land and 2.36 acres of land from SF-2 (Single Family-Standard Lot) District to PF-3 (Public Facilities-High Intensity) District; and 3.18 acres of land from C-1 (General Commercial) District to PF-3 (Public Facilities-High Intensity) District.**

Motion: Commissioner Austin made a motion to recommend approval of the rezoning from SF-2 and C-1 to PF-3. Commissioner Pavliska seconded the motion.

Vote: Ayes: Al Kosik, David Pavliska, Sandy Arnold, Russ Boles, Larry Quick, Ray Thibodaux, Dale Austin and Betty Weeks. Noes: None; Abstain: None; Absent: Peter Drapes. The motion carried unanimously.

- 7.O. Consider public testimony regarding the application filed by the City of Round Rock to rezone 2.036 acres of land, 2.346 acres of land and 3.027 acres of land more or less out of**

the Harris Survey, Abstract # 298, Williamson County, Texas, from C-1 (General Commercial) District to OS (Open Space) District.

Ms. Jordan presented staff's analysis of the rezoning to the Commissioners noting the recommendation of approval.

Chairman Kosik opened the public hearing and asked if there was anyone present that wanted to provide testimony. Seeing no one, he closed the public hearing.

7.P. Consider a recommendation regarding the application to rezone 2.036 acres of land, 2.346 acres of land and 3.027 acres of land, from C-1 (General Commercial) District to OS (Open Space) District.

Commissioner Thibodaux asked if the City planned to put in a park along the creek. Mr. Hemenes said it would be part of the Lake Creek trail system.

Commissioner Pavliska asked if any commercial land was included that was being given up for the parkland. Mr. Stendebach said the entire acreages have been dedicated as parkland already, so this is just labeling it with the proper zoning classification.

Commissioner Quick said at one time he thought part of this acreage was going to be used as a new entrance into the Southwest Downtown area from IH-35. Mr. Stendebach agreed. He said the plan ultimately shows Main Street extending down to the frontage road and coming in with an "S" curve of at least 90 degrees through the northerly most of the parcels. Chairman Kosik suggested that it was going to be a bridge structure. Mr. Stendebach agreed so it would not interfere with the trail system and would not hinder the new zoning classification.

Motion: Commissioner Pavliska made a motion to recommend approval of the rezoning from C-1 to OS. Commissioner Thibodaux seconded the motion.

Vote: Ayes: Al Kosik, David Pavliska, Sandy Arnold, Russ Boles, Larry Quick, Ray Thibodaux, Dale Austin and Betty Weeks. Noes: None; Abstain: None; Absent: Peter Drapes. The motion carried unanimously.

Ms. Brennan requested that both Items 7.Q. and 7.S. be presented together in the same presentation.

7.Q. Consider public testimony regarding proposed amendments to Chapter 11, City of Round Rock Code of Ordinance, 1995 Edition, to reduce the required lot size for multifamily lots, to regulate the placement of heliports, to modify requirements for eating establishments within local commercial shopping centers, to modify parking standards for medical office uses, and to regulate the placement of parking spaces adjacent to commercial drive aisles.

7.S. Consider public testimony regarding proposed amendments to Chapter 11, City of Round Rock Code of Ordinance, 1995 Edition, to add screening requirements for loading spaces.

Ms. Brennan presented staff's analysis of the two proposed amendments to Chapter 11, City of Round Rock Code of Ordinance, 1995 Edition.

Ms. Crutchfield addressed the Commissioners regarding loading space requirements adding additional language to the definition of loading space.

Chairman Kosik opened the public hearings and asked if there was anyone that wanted to provide testimony. Seeing no one, he closed the public hearing.

7.R. Consider a recommendation regarding proposed amendments to Chapter 11, City of Round Rock Code of Ordinance, 1995 Edition, to reduce the required lot size for multifamily lots, to regulate the placement of heliports, to modify requirements for eating establishments within local commercial shopping centers, to modify parking standards for medical office uses, and to regulate the placement of parking spaces adjacent to commercial drive aisles.

Mr. Stendebach said he wanted to add one clarification regarding the modification on the depth width drive aisles. He said staff has limited the application to buildings with a gross square footage over 50,000 square feet, which allows the smaller businesses to put some parking spaces up at the front due to the different nature of their business.

Chairman Kosik referenced Page 8 of the Ordinance, Items (8) (e) (ii), (iii) and (iv). He said that Item (ii) talks about the 50,000 gross square feet, but Items (iii) and (iv) do not make that reference. He thought that Mr. Stendebach was referring to Items (iii) and (iv) as well for the 50,000 gross square feet. He did not think it was clear. Ms. Crutchfield responded that all three of the items would be based on the 50,000 gross square feet.

Commissioner Weeks said staff is suggesting that there be more than one eating establishment in a C-2 District. She asked what the other things were that made C-1 and C-2 different. Mr. Stendebach said the size, scale and the uses are limited to locally orient commercial uses, which is the reason originally only one restaurant was allowed. Chairman Kosik noted there was still a limit of 1500 square foot.

Motion: Commissioner Weeks made a motion to recommend approval of the proposed amendments to Chapter 11, City of Round Rock Code of Ordinance, 1995 Edition, subject to the changes discussed. Commissioner Pavliska seconded the motion.

Vote: Ayes: Al Kosik, David Pavliska, Sandy Arnold, Russ Boles, Larry Quick, Ray Thibodaux, Dale Austin and Betty Weeks. Noes: None; Abstain: None; Absent: Peter Drapes. The motion carried unanimously.

7.T. *Consider a recommendation regarding proposed amendments to Chapter 11, City of Round Rock Code of Ordinance, 1995 Edition, to add screening requirements for loading spaces.*

Chairman Kosik noted that the definition of loading spaces has been modified. Mr. Stendebach said yes, to specifically exclude spaces that use the main pedestrian entrance to the building for their access. He suggested this would include such deliveries made by Office Depot, Fed Ex , UPS and other similar uses.

Motion: Commissioner Pavliska made a motion to recommend approval of the proposed amendments to Chapter 11, City of Round Rock Code of Ordinance, 1995 Edition, with the modification to the definition. Commissioner Thibodaux seconded the motion.

Vote: Ayes: Al Kosik, David Pavliska, Sandy Arnold, Russ Boles, Larry Quick, Ray Thibodaux, Dale Austin and Betty Weeks. Noes: None; Abstain: None; Absent: Peter Drapes. The motion carried unanimously.

8. PLANNER REPORT AND COMMISSION COMMENTS

Mr. Stendebach noted that the Commissioner's Retreat would be held on September 27, 2005, from 10:00 am to 5:00 pm, at a facility in Lago Vista, Texas. He read the list of agenda items:

- Provide status report of MF housing in Round Rock (also where new multi-family housing would be appropriate, expected needs) – Commissioner Boles
- Consider a Site Plan requirement for PUDs – Commissioner Boles
- Consider minimum building standards for single-family housing – provide report on what neighboring communities are requiring (landscaping, building materials, eaves, overhangs and roof lines) – Commissioner Boles
- Summarize current Street Tree requirements (if any) – Commissioner Boles
- Consider allowing Accessory Dwelling Units – Commissioner Pavliska
- Consider modifying lot sizes in SF District – Mr. Stendebach
- Maintenance and Code Enforcement – Commissioner Weeks

Commissioner Weeks asked if the sign ordinance could be discussed. Commissioner Quick asked if there could be some discussion regarding the college area development and to look at some of the land use issues that could occur within 5 years once rail commuter transportation is in place. Commissioner Boles suggested discussion regarding building standards in the light industrial including metal buildings, sidewalks and landscaping.

Chairman Kosik noted he would be on vacation on August 17, 2005, so he would not be able to attend the meeting.

9. ADJOURN

Hearing no further discussion, Chairman Kosik adjourned the meeting at 11:03 p.m.

Sincerely yours,

Dianna Hutchens
Administrative Technician III